

U.S. Patent Application No. 10/730,870
Amendment and Reply dated July 3, 2007
In Response to Office Action dated April 3, 2007

AMENDMENTS TO THE DRAWINGS:

Applicant submits herewith a Replacement Sheet of Drawings that incorporates changes to FIGS. 1A-1B. FIG. 1A has been amended to show reference numeral 299, indicating a pathway end of a fluid processing pathway. FIG. 1B has been amended to delete reference numeral 332.

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REMARKS

Continued examination and favorable reconsideration are respectfully requested.

Claims 1-23 remain pending in this application. By this Amendment, the drawings, the specification, and claims 1, 13, and 14 have been amended, and claims 24-50 have been canceled. Support for the amendments to the specification can be found, for example, at least in paragraph 00071, in paragraph 00074, in original FIG. 1A, and in original claim 1 in the description of the "material loading end." No new matter has been added. Support for the amended claims can be found in the specification, at least at paragraph [00066], in FIG. 1A, and in the claims as originally filed. No new matter has been added.

Applicant wishes to thank Examiner Sines for the courtesies extended to Applicant's representative, Howard James Voeller, during the June 29, 2007, personal interview. Applicant appreciates the Examiner's indication during the interview that the proposed changes to FIG. 1A, shown on the Replacement Sheet attached hereto, would be acceptable and do not introduce new matter. Applicant further appreciates the helpful suggestions provided by the Examiner, which have been incorporated in the present changes to the application.

Objection to the Drawings under 37 C.F.R. §1.83(a)

At page 2 of the Office Action, the drawings are objected to under 37 C.F.R. §1.83(a) as allegedly not showing every feature of the invention specified in the claims. For the reasons set forth herein, Applicant respectfully traverses this objection. Reconsideration and withdraw of the objection are respectfully requested.

The Office Action specifically refers to claim 1 and states that "the microfluidic pathway

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formed in or on the substrate and including a material loading end must be shown and labeled or the feature(s) canceled from the claim(s).” In response, Applicant submits herewith a Replacement Sheet of drawings for the sheet containing FIGS. 1A-1B. Furthermore, Applicant has amended claim 1.

Applicant has amended FIG. 1A to include feature 299, corresponding to a first pathway end of a fluid processing pathway. Support for this feature can be found in the specification at least at paragraph [00066], in FIG. 1A, and in the claims as originally filed. Applicant has amended claim 1 to feature “a fluid processing pathway formed in or on the substrate and including a pathway end comprising a loading chamber.” Support for a fluid processing pathway as claimed can be found throughout the specification, in particular at least at paragraph [00066], and as feature 305 in FIG. 1A.

The drawings show every feature specified in the claims. In particular, the collective drawings show every feature recited in claim 1. Accordingly, Applicant respectfully requests reconsideration and withdraw of this objection.

Rejection of the Claims under 35 U.S.C. § 112

At page 3 of the Office Action, claims 1-23 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, and as being incomplete for omitting essential structural cooperative relationships of elements. For the reasons set forth herein, Applicant traverses this rejection. Reconsideration and withdrawal of the rejection are respectfully requested.

Amended claim 1 contains all the essential structural cooperative relationships of the elements, all the necessary structural connections, and satisfies the requirements of 35 U.S.C. §112,

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second paragraph. Each of claims 2-23 depends from claim 1, and each also satisfies the requirements of 35 U.S.C. §112, second paragraph. Accordingly, Applicant respectfully requests reconsideration and withdraw of this rejection.

Claim 13 has been amended to recite a separation chamber instead of a material trapping region, and thus now finds antecedent basis in claim 1. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Amendments to the Specification

Applicant also amends the specification at paragraph [00066] to reference a pathway end, designated as reference numeral 299. Support for this amendment can be found, for example, at least in original FIG. 1A, and in original claim 1. Applicant amends the specification at paragraph [00072] to even further clarify that pressure can be vented and relieved through first input opening 334. Support for this amendment can be found, for example, at least in paragraphs [00071] and [00074].

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration of the present application and a timely allowance of the pending claims.

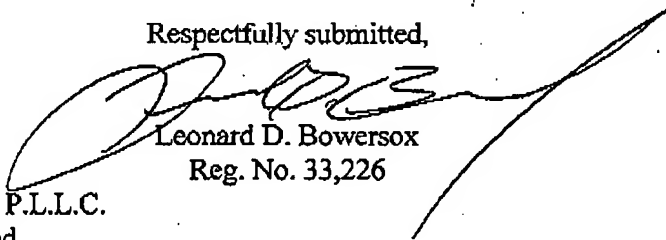
Should the Examiner deem that any further action by Applicant or Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

If there are any other fees due in connection with the filing of this response, please charge the fees to deposit Account No. 50-0925. If a fee is required for an extension of time under 37

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C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to
said Deposit Account.

Respectfully submitted,



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Enclosure: Replacement Sheet of Drawings Showing FIGS. 1A-1B